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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BOARD OF TRUSTEES OF THE
TEAMSTERS LOCAL 631 SECURITY
FUND FOR SOUTHERN NEVADA; BOARD
OF TRUSTEES OF THE TEAMSTERS
CONVENTION INDUSTRY TRAINING
FUND,

Plaintiffs,

vs.

ABC EXPO SERVICES, LLC, a Nevada
limited liability company,

Defendant.

Case No.

COMPLAINT

Plaintiffs allege:

1. This action arises under the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §§ 1001-1500, and the Court has jurisdiction pursuant to 29 U.S.C. § 1132(e) and supplemental jurisdiction under 28 U.S.C. § 1367.

1 2. Plaintiffs are the Boards of Trustees of the Teamsters Local 631 Security Fund for
2 Southern Nevada, and of the Teamsters Convention Industry Training Fund (“Trust Funds”) and
3 are fiduciaries for purposes of ERISA.

4 **FIRST CLAIM FOR RELIEF**
5 Delinquent Subcontractor Contributions

6 3. Paragraphs 1 through 2 are incorporated by reference as though fully set forth
7 herein.

8 4. Defendant ABC Expo Services, LLC (“ABC Expo”), acted as an employer within
9 the State of Nevada employing persons who perform work covered by a collective bargaining
10 agreement (“CBA”) between ABC Expo and the International Brotherhood of Teamsters Local
11 631 (“Union”).

12 5. The CBA requires that in the event ABC subcontracts work covered by the CBA to
13 a company not signatory to a CBA with the Union, the ABC would ensure that the subcontractor
14 observes the applicable working conditions and wage rates, including the remittance of employee
15 benefit contributions to the Trust Funds.

16 6. ABC Expo subcontracted work covered under the CBA to Thunder and Lightning,
17 LLC (“T & L”).

18 7. T & L was not signatory to a CBA with the Union.

19 8. T & L failed to remit all required employee benefit contributions to the Trust
20 Funds.

21 9. Demand has been made to ABC Expo to remit T & L’s delinquent contributions
22 and other amounts due to the Trust Funds on behalf of T & L, but ABC Expo has failed and
23 refused to pay, and continues to refuse to pay these amounts.

WHEREFORE, Plaintiffs pray for relief as follows:

1. A judgment against ABC Expo in an amount demonstrated at trial for T & L's unpaid contributions, liquidated damages, interest, court costs and attorney's fees as required by ERISA and the Trust Agreements;

2. For other equitable relief as provided by ERISA, including but not limited to injunctive relief; and

3. For such other and further relief as the Court deems proper.

Dated: January 28, 2019.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

/s/ Christopher M. Humes

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